Application Number	10/062,133	F	Applicant(s)/Patent u Reexamination JOU, YU-CHEUN	ander				
Document Code - DISQ	Internal Do	ternal Document – DO NOT MAIL						
TERMINAL DISCLAIMER	APPROVED		☐ DISAPPI	☐ DISAPPROVED				
Date Filed : September 18, 2006	to a Te	it is subject erminal laimer						
Approved/Disapproved by:								
Henry D. Jefferson								
·								

U.S. Patent and Trademark Office

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			11-Sep-07	APPL. S. N:		10062133			
To Exami	ner:		MEW, KEVIN	Art Unit		2616			
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To Drop-Off Location	: Case	JEF-2D68			
SUBJECT	r: Decisio	n on Terminal	Disclaimer(T.D.) filed:						
form para or have a	agraphs io iny questi	dentified by thi ions, please se	s informal memo in your n e me or the Special Progra	ext Office action to notify apm Examiner. THIS IS AN IN	pplicant of t FORMAL, IN				
please ini	itial, date	and return thi	s memo to me. THANK YO	U.					
Y	The T.D.	is PROPER and	has been recorded (see 1	4.23).					
The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):									
		The TD fee ofhas not been submitted nor is there any authorization in the application file for the use of a deposit account							
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
•	\Box	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
	G	The person who signed the T.D.:							
		is no	t an attorney "of record" (see 14.29 and 14.29.01).					
		has has	failed to state his/her capa	city to sign for the business	entity (see	14.28).			
		is no	t recognized as an officer o	of the assignee (see 14.29 8	k possible 1	4.29.02).			
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
	Γ	The T.D. is no	t signed (see 14.26 & 14.2	26.03).					
	Γ.	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period dis	claimed is incorrect or not	specified (see 14.26, 14.27	.02 or 14.2	5.03).			
		Other:							
		Suggestion to and do not ch	request refund (see 14.36 eck this item.). NOTE: If already authoriz	ed, credit r	efund to deposit account			
I have ap	propriate			e Terminal Disclaimer filed	in this case.				
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appl. No.

10/062,133

Confirmation No. 3837

SEP 1 8 2006

Applicant

Yu-Cheun Jou

Filed

January 30, 2002

Art Unit

2616

Examiner

Kevin D. Mew

Docket No.

PA450C1

Customer No.:

23696

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION UNDER 37 CFR §1.321(c)

I, S. Hossain Beladi, am the attorney of record for this invention. The assignee, QUALCOMM Incorporated, is located at 5775 Morehouse Drive, San Diego, California 92121.

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is the whole of this invention.

CERTIFICATE OF TRANSMISSION (37 CFR 1.8(a))

1

I hereby certify that this correspondence is, on the date shown below, being: FACSIMILE

Transmitted by facsimile to the Patent and Trademark Office on September 18, 2006.

Depositor's Name: Carrie E. Floss

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DISCLAIMER

The terminal part of the statutory term of any patent granted on the above-identified SEP 1 8 2006 application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154-156 and 173 of United States Patent No. 6,389,000, is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,389,000, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the above identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154-156 and 173 of United States Patent No. 6,389,000, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued in any manner or are terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge payment of the Terminal Disclaimer Fee of \$130.00 under 37 CFR § 1.20(d) and any additional fees which may be required, or credit any overpayment, to Deposit Account No. 17 - 0026. A duplicate of this sheet is enclosed for charge purposes.

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Respectfully submitted,

Dated: September 18, 2006

S. Hossain Beladi, Reg. No. 42.311

(858) 651-4470

QUALCOMM Incorporated 5775 Morehouse Drive San Diego, California 92121 Telephone: (858) 658-5787 Facsimile: (858) 658-2502